



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 19, 1996

Mr. Ron M. Pigott
Texas Department of Public Safety
P.O. Box 4087
Austin, Texas 78773-0001

OR96-1487

Dear Mr. Pigott:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 101200.

The Texas Department of Public Safety (the "department") received an open records request for a "copy of the referral letter from Comal County Assistant District Attorney Dib Wadrip that referred the charge that [an individual] was assaulted by Comal County Sheriff Jack Bremer early this year" and related information. You assert that the requested information is excepted from required public disclosure under section 552.108 of the Government Code.

Section 552.108 excepts from disclosure "[i]nformation held by a law enforcement agency or prosecutor that deals with the detection, investigation, or prosecution of crime," and "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution." Gov't Code § 552.108; see *Holmes v. Morales*, 39 Tex. Sup. Ct. J. 781, 1996 WL 325601 (June 14, 1996). We conclude that section 552.108 of the Government Code excepts the information you seek to withhold from required public disclosure. Of course, you may choose to release all or part of the information that is not otherwise confidential by law. Gov't Code § 552.007.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue

under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Todd Reese", with a long horizontal line extending to the right.

Todd Reese
Assistant Attorney General
Open Records Division

RTR/rho

Ref.: ID# 101200

Enclosures: Submitted documents

cc: Mr. Abe Levy
Herald-Zeitung
707 Landa Street
New Braunfels, Texas 78130
(w/o enclosures)